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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/785,369	02/23/2004	Min Wan	D 2003.784 US	8537

27624 7590 06/13/2006

AKZO NOBEL INC.
INTELLECTUAL PROPERTY DEPARTMENT
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DOBBS FERRY, NY 10522-3408

EXAMINER

AUDET, MAURY A

ART UNIT	PAPER NUMBER
1654	

DATE MAILED: 06/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

DETAILED ACTION

Applicant's amendment of the claims and response of 03/30/2006 is acknowledged. Claims 2, and 4-5 have been cancelled, and new claims 13-18 added. Claims 1, 3, and 6-18 are pending. The original claims were drawn to a process for inhibiting and/or delaying carbamylation of a peptide/protein in a urea and/or cyanate containing solution, comprising the use of ANY non-ethylene diamine like compound. The Examiner attempted to search and examine the subject matter as filed and found a myriad of art (four references of which were cited), over this age-old problem. Based on Applicant's amendment of the claims, the compounds have now been amended to amines (glycinamide), mono-amino acids, and any dipeptide. Even with this amendment, the breadth of the subject matter for search purposes is still such that an undue burden exists to search any/all these embodiments, and apply individual art to one or more of these distinct compounds; thus requiring at a minimum a species election as to any of the distinctly claimed genus/compounds (e.g. amines, mono-amino acids, and dipeptides), as provided below. Restriction following a first action on the merits is proper in this situation, "as soon as the need for a proper requirement develops", as evidenced by Applicant's amendment to distinctly claim the subject matter of the invention, wherein the breadth is such that an undue search burden remains, see MPEP section 811.

Election/Restrictions

Species Election

This application contains claims directed to the following patentably distinct species:

I. A specific compound as to a 1) amines (glycinamide); 2) mono-amino acids, or 3) any dipeptide.

II. A specific mM amount of said compound between 1mM-150mM (e.g. 1mM).

Applicant must elect a single species as to I and II above, to which a search of the invention will commence. The species are independent or distinct because a search for any of the above species is not necessarily co-extensive particularly with regard to the literature search and a reference, which would anticipate any one of the above species, would not necessarily anticipate or even make obvious another species, absent evidence to the contrary.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, claims 1 and 3 are generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which depend from or otherwise require all the limitations of an allowable generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

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Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Applicant is reminded that upon cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a petition under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Conclusion

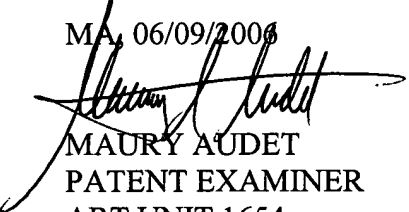
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Maury Audet whose telephone number is 571-272-0960. The examiner can normally be reached on M-Th. 7AM-5:30PM (10 Hrs.).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cecelia Tsang can be reached on 571-272-0562. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MA 06/09/2008



MAURY AUDET
PATENT EXAMINER
ART UNIT 1654

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APPLICATION NO/ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10/845,936	05/14/2004	COLLIER	DOC 0068 PA/40218.141
EXAMINER			
AUDET			
ART UNIT		PAPER	
1654		01062006	

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

The reply filed on 10/13/2005 is acknowledged, but is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Applicant has not amended the claims commensurate in scope with the elected invention (e.g. a biomolecular conjugate and method of making the same and a personal care composition or process of making the same, comprising any of the distinct peptide repeat SEQ ID NOS: 1, 3, or 19). Additionally, Applicant's arguments to the outstanding rejections/claims are also directed to non-elected subject matter.

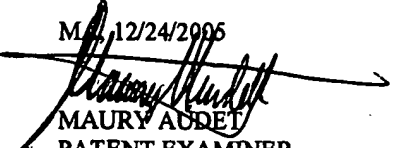
In response to this Action, Applicant must amend the claims commensurate in scope with the elected invention identified above and respond as to the rejections/claims commensurate in scope with the elected invention identified above.

See 37 CFR 1.111. Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Maury Audet whose telephone number is 571-272-0960. The examiner can normally be reached from 7:00 AM – 5:30 PM, off Fridays. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bruce Campell can be reached at 571-272-0974. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-1600.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197.

MAY 12/24/2006


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ART UNIT 1654